

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CRAIG HENRY,

Plaintiff,

v.

HARRY E. WILSON, Superintendent;
CAROL A. SCIRE, Grievance Coordinator;
MR. REID, BA-Unit Manager; MS.
CLEVELAND, BA-Unit Counselor; MARY
ANN MISTRIK, Hearing Examiner; MS.
KERRI CROSS, Hearing Examiner;
LAUREZ R. HARRY, Program Review
Committee; BRADLEY NEWTON, Program
Review Committee; PSYCHIATRIST
SAAVEDRA, Medical Psychiatrist; STEVE
BENKO, Program Review Committee,

Defendants.

2:05cv648

Electronic Filing

Judge Cercone

Magistrate Judge Lenihan

MEMORANDUM ORDER

The above captioned case was initiated by the filing of a Motion to Proceed *In Forma Pauperis* (doc. no. 1) on May 10, 2005, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrate Judges.

The Magistrate Judge's Report and Recommendation filed on August 21, 2007 (doc. no. 101), recommended that the Motion for Summary Judgment filed by the Commonwealth Defendants (doc. no. 67) be granted and that the Motion for Summary Judgment filed by Dr. Saavedra (doc. no. 70) be granted. Plaintiff filed Objections to the Report and Recommendation on September 7, 2007 (doc. no. 102).

After review of the pleadings and documents in the case, together with the Report and Recommendation, and the Objections thereto, the following order is entered:

AND NOW, this 14th day of September, 2007;

IT IS HEREBY ORDERED that the Motion for Summary Judgment filed by the Commonwealth Defendants (doc. no. 67) is **GRANTED** and the Motion for Summary Judgment filed by Dr. Saavedra (doc. no. 70) is **GRANTED**.

IT IS FURTHER ORDERED that the Report and Recommendation dated August 21, 2007, (doc. no. 101) of Magistrate Judge Lenihan is **ADOPTED** as the Opinion of the Court.

IT IS FURTHER ORDERED that the Clerk of Court mark this case **CLOSED**.

AND IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, Plaintiff has thirty (30) days to file a notice of appeal as provided by Rule 3 of the Federal Rules of Appellate Procedure.



David Stewart Cercone
United States District Judge

cc: Honorable Lisa Pupo Lenihan
United States Magistrate Judge

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